

IN THE CLAIMS

Claims 74 and 79 has been amended. Claims 78, 80, and 81 have been cancelled. Claims 74, 79, and 82-93 are pending in the present application. The following is the status of the claims of the above-captioned application, as amended.

1-73 (Previously Presented).

74. (Currently Amended) A *Bacillus* cell comprising a nucleic acid construct which comprises (a) a "consensus" promoter of a *Bacillus amyloliquefaciens* alpha-amylase gene (amyQ) having the sequence TTGACA for the "-35" region and TATAAT for the "-10" region operably linked to a single copy of a nucleic acid sequence encoding the a polypeptide, wherein the consensus promoter is obtained from a promoter obtained from the *Bacillus lontus* alkaline protease gene (aprH), *Bacillus licheniformis* alkaline protease gene (subtilisin Carlsberg gene), *Bacillus subtilis* levansucrase gene (sacB), *Bacillus subtilis* alpha-amylase gene (amyE), *Bacillus licheniformis* alpha-amylase gene (amyL), *Bacillus stearothermophilus* maltoogenic amylase gene (amyM), *Bacillus amyloliquefaciens* alpha-amylase gene (amyQ), *Bacillus licheniformis* penicillinase gene (penP), *Bacillus subtilis* xyIA and xyIB genes, or *Bacillus thuringiensis* subsp. *tonebriensis* CryIIA gene (cryIIA, SEQ ID NO. 21) and the promoter is foreign to the nucleic acid sequence encoding the polypeptide, and (b) an a cryIIA mRNA processing/stabilizing sequence located downstream of the "consensus" promoter and upstream of the nucleic acid sequence encoding the polypeptide, wherein the mRNA processing/stabilizing sequence increases expression of the nucleic acid sequence encoding the polypeptide.

75. (Cancelled).

76. (Cancelled).

77. (Cancelled).

78. (Cancelled).

79. (Currently Amended) The *Bacillus* cell of claim 78 74, wherein the "consensus" amyQ

promoter has the nucleic acid sequence of SEQ ID NO. 26 or SEQ ID NO. 27.

80. (Cancelled).

81. (Cancelled).

82. (Previously Presented) The *Bacillus* cell of claim 74, which contains one or more copies of the nucleic acid construct.

83. (Previously Presented) The *Bacillus* cell of claim 74, which contains one copy of the nucleic acid construct.

84. (Previously Presented) The *Bacillus* cell of claim 74, wherein the nucleic acid construct further comprises a selectable marker gene.

85. (Previously Presented) The *Bacillus* cell of claim 74, which contains no selectable marker gene.

86. (Previously Presented) The *Bacillus* cell of claim 74, wherein the nucleic acid sequence encodes a polypeptide heterologous to the *Bacillus* cell.

87. (Previously Presented) The *Bacillus* cell of claim 74, wherein the polypeptide is a hormone, enzyme, receptor, antibody, or reporter.

88. (Previously Presented) The *Bacillus* cell of claim 87, wherein the enzyme is an oxidoreductase, transferase, hydrolase, lyase, isomerase, or ligase.

89. (Previously Presented) The *Bacillus* cell of claim 87, wherein the enzyme is an aminopeptidase, amylase, carbohydrazine, carboxypeptidase, catalase, cellulase, chitinase, cutinase, cyclodextrin glycosyltransferase, deoxyribonuclease, esterase, alpha-galactosidase, beta-galactosidase, glucoamylase, alpha-glucosidase, beta-glucosidase, invertase, laccase, lipase, mannosidase, mutanase, oxidase, a pectinolytic enzyme, peroxidase, phytase, polyphenoloxidase, proteolytic enzyme, ribonuclease, transglutaminase, or xylanase.

90. (Previously Presented) The *Bacillus* cell of claim 74, wherein the nucleic acid sequence is contained in the chromosome of the *Bacillus* cell.

91. (Previously Presented) The *Bacillus* cell of claim 74, wherein the nucleic acid sequence is contained on an extrachromosomal element.

92. (Previously Presented) The *Bacillus* cell of claim 74, which is a *Bacillus alkalophilus*, *Bacillus amyloliquefaciens*, *Bacillus brevis*, *Bacillus circulans*, *Bacillus clausii*, *Bacillus coagulans*, *Bacillus firmus*, *Bacillus laetus*, *Bacillus lentus*, *Bacillus licheniformis*, *Bacillus megaterium*, *Bacillus pumilus*, *Bacillus stearothermophilus*, *Bacillus subtilis*, or *Bacillus thuringiensis* cell.

93. (Previously Presented) The *Bacillus* cell of claim 74, which is a *Bacillus subtilis* cell.